

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

INHANCE TECHNOLOGIES LLC,

Defendant.

CIVIL ACTION NO. 22-5055

**Notice of Issuance of Briefing Schedule and Tentative Calendaring of Oral Argument in
the Related Case Before the United States Court of Appeals for the Fifth Circuit**

Plaintiff the United States of America (“United States”), on behalf of the United States Environmental Protection Agency (“EPA”), submits this notice to inform the Court that on December 13, 2023, in case no. 23-60620, *Inhance Technologies LLC v. EPA* (5th Cir. 2023) (C.A.5 ECF No. 29), the Office of the Clerk of the United States Court of Appeals for the Fifth Circuit issued a letter to counsel, which provides for the following briefing schedule:

- Inhance’s brief and record excerpts are due December 22, 2023;
- The United States’ brief is due January 22, 2024;
- Any reply brief by Inhance (and appendix if necessary) “will be due 7 days after filing of the” United States’ brief.

Ex. 1 at 1 (Letter from Office of the Clerk). The letter further states: “The case is tentatively calendared for oral argument the week of February 5, 2024.” *Id.* at 2.

Per this Court’s directive to counsel at the December 14, 2023 case management conference, the United States will continue to keep this Court informed of developments in the related case in the Fifth Circuit.

[Signature on Following Page]

Respectfully submitted,

Dated: December 15, 2023

FOR THE UNITED STATES OF AMERICA

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Assistant Attorney General
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/s/ Richard Gladstein

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CERTIFICATE OF SERVICE

The foregoing notice has been filed electronically using the ECF system and is available for viewing and downloading from the ECF system. Counsel for the Plaintiff also has served by email an electronic copy of this notice on counsel for Defendant and counsel for Intervenor-Plaintiffs Center for Environmental Health, Public Employees for Environmental Responsibility, and Mr. Jay De La Rosa.

DATE: December 15, 2023

/s/ Richard Gladstein
RICHARD GLADSTEIN